

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Georgia Latino Alliance for Human
Rights, et al.,

Plaintiffs,

v.

Governor Nathan Deal, et al.,

Defendants.

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) Case No. 1:11-cv-1804-TWT
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**CONSENT MOTION FOR EXTENSION OF TIME AND TO DEFER
HEARING, AND INCORPORATED MEMORANDUM OF LAW**

Plaintiffs, with the consent of Defendants, respectfully request that the Court extend until August 8, 2011 the time for Plaintiffs to respond to Defendants' Motion to Stay the Case ("Stay Motion"). Rec. Doc. 100. Plaintiffs further request that the Court defer and reschedule the hearing on the Stay Motion currently scheduled for 2:00 p.m. on July 28, 2011.

MEMORANDUM OF LAW

A Court may extend the time during which a party must act for "good cause." Fed. R. Civ. P. 6(b).

The following constitutes good cause for the requested extension:

1. On July 5, 2011, Defendants Nathan Deal and Samuel S. Olens filed a Notice of Appeal, Rec. Doc. 97, seeking review by the U.S. Court of Appeals for the Eleventh Circuit of this Court's Order on Plaintiffs' Motion for a Preliminary Injunction and Defendants' Motion to Dismiss.
2. On July 8, 2011, Defendants Nathan Deal, Mike Beatty, Samuel S. Olens, and Clyde L. Reese III filed a Motion to Stay the Case ("Stay Motion") pending the Eleventh Circuit appeal. Rec. Doc. 100.
3. Absent an extension, Plaintiffs' response to the Stay Motion would be due on July 25, 2011.
4. On July 12, 2011, the Court set a hearing on the Stay Motion for July 28, 2011 at 2:00 p.m.
5. Over the course of this week, counsel for Plaintiffs has conferred with counsel for Defendants about reaching an agreement to resolve the Stay Motion. To allow the parties time to explore whether such an agreement can be reached, the parties agreed that an extension of time until August 8, 2011 for Plaintiffs to respond to the stay motion would be helpful, as a stipulated resolution could obviate the need for the Court to rule on the issue.

For the reasons set forth herein, Plaintiffs respectfully request that the Court grant Plaintiffs an extension of time until August 8, 2011, within which to file their response to Defendants' Stay Motion. If the parties are able to reach a stipulated resolution of the stay motion, the stipulation will be presented to the Court on or before August 8, 2011. Finally, because the Stay Motion will not be fully briefed before the July 28, 2011 scheduled hearing should the Court grant the instant motion, Plaintiffs request that the Court defer or reschedule the date of the hearing until a date subsequent to August 8, 2011. If the parties are not able to reach a resolution of the Stay Motion, the hearing may be scheduled for whatsoever date selected by the Court after the issue is fully briefed.

For the convenience of the Court, a proposed order is attached.

Dated: July 13, 2011

Respectfully submitted,¹

/s/ Daniel Werner

On behalf of Attorneys for Plaintiffs

¹ Counsel certifies this document has been prepared in accordance with L.R. 5.1.

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*Application for admission *pro hac vice* pending

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2011, I electronically filed the attached with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

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